

Case 1:12-cv-05354-KAM-RLM Document 437 Filed 03/05/13 Page 1 of 1 PageID #: 5923

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X

INNOVATION VENTURES, LLC, LIVING
ESSENTIALS, LLC, and INTERNATIONAL IP
HOLDINGS, LLC : 12 Civ. 5354 (KAM)(RLM)

: **PROPOSED ORDER**

Plaintiffs, :
:
-against- :
:
ULTIMATE ONE DISTRIBUTING CORP., ET :
AL. :
:
Defendants. :
——— X

Pursuant to the Court's Order dated March 4, 2013 (Dkt. No. 436), Plaintiffs Innovation Ventures, LLC, Living Essentials, LLC, and International IP Holdings, LLC (collectively "Living Essentials") will produce by March 8, 2013 to all parties a document sufficient to show Living Essentials' marginal costs of manufacturing a single bottle of 5-hour ENERGY® as well as a document sufficient to ascertain the average price at which Living Essentials sold 5-hour ENERGY® to each defendant who purchased directly from Living Essentials for the past 2 years.

IT IS HEREBY ORDERED that because Living Essentials' sales information and marginal costs of manufacturing a bottle of 5-hour ENERGY® are sensitive business information, the parties shall treat as highly confidential such documents and information produced by Plaintiffs. *Absent further order of the Court,* Access to these documents and the information contained therein shall be limited to the outside counsel of record for each party in this action.

IT IS SO ORDERED.

Dated: _____

SO ORDERED:
/s/
Roanne L. Mann
U.S. Magistrate Judge
Dated: *3/5/13*
Hon. Roanne L. Mann
United States Magistrate Judge